

1 SAMUEL BERNARD JOHNSON III  
4420 Abruzzi Circle  
2 Stockton, California 95206  
(209) 982-5904 - Telephone  
3 [blakviii@aol.com](mailto:blakviii@aol.com) - Email

4 Plaintiff - *In Pro Se*  
5  
6  
7  
8

9 **UNITED STATES DISTRICT COURT**  
10 **NORTHERN DISTRICT OF CALIFORNIA**  
11 **SAN FRANCISCO DIVISION**  
12

13 SAMUEL BERNARD JOHNSON III,

14 Plaintiff,

15 vs.

16 CHEVRON CORPORATION, a Delaware  
17 corporation, CHEVRON ENVIRONMENTAL  
18 MANAGEMENT COMPANY, a California  
corporation, and DOES 1-10,

19 Defendants  
20  
21  
22  
23  
24  
25  
26  
27  
28

Case No.: C 07-05756 SI (JCS)

**PLAINTIFF'S NOTICE OF MOTION  
FOR LEAVE TO FILE A FIRST  
AMENDED COMPLAINT**

**DATE:** Friday, July 18, 2008

**TIME:** 9:00 a.m.

**COURTROOM:** 10, 19<sup>th</sup> Floor

**JUDGE:** Honorable Susan Illston

**TO DEFENDANTS AND THEIR COUNSEL OF RECORD:**

**PLEASE TAKE NOTICE** that on Friday, July 18, 2008, at 9:00 a.m. or as soon thereafter as the matter may be heard, before the Honorable Susan Illston, located at the United States District Court for the Northern District of California, San Francisco Division, 450 Golden Gate Avenue, Courtroom 10, 19<sup>th</sup> Floor, San Francisco, California 94102, Samuel Bernard Johnson III (hereinafter referred to as "Plaintiff Johnson") will and hereby do move for an order granting to file a First Amended Complaint in this case.

Plaintiff Johnson makes this Motion for Leave to file a First Amended Complaint pursuant to Federal Rules of Civil Procedure Rules 15, 15(a), 15(d) and 21 on the grounds that Plaintiff Johnson is adding additional defendants to this action as new information recently became available to Plaintiff Johnson, which Plaintiff Johnson previously communicated to Filice Brown Eassa & McLeod LLP, (hereinafter referred to as "Counsel for Chevron") and the Court on April 1, 2008. *See* April 1, 2008, Stipulation and Order.

Plaintiff Johnson contends that he informed Counsel for Chevron that he would amend the Complaint prior to agreeing to stipulate to dismiss certain defendants from this action. Plaintiff Johnson further contends that he informed Counsel for Chevron and the Court that he would amend the Complaint to include the Civil Rights Act of 1866 (42 U.S.C. § 1981 claims), amend Title VII of the Civil Rights Act of 1964, as amended, 2000(e), *et. seq.* claims, add Title VII of the Civil Rights Act of 1991, 42 U.S.C. § 1981a, claims, [amend California Fair Employment and Housing Act, California Government Code § 12940, *et. seq.* claims], add additional defendants, and also seek leave from the Court to amend the Complaint on the grounds that the Federal Rules of Civil Procedure support liberal amendment policy, and that the factors considered by courts in connection with a Motion to Amend favor granting such a motion.

Plaintiff Johnson's motion is based on this Notice of Motion, the Memorandum In

1 Support of Motion For Leave to File a First Amended Complaint, the Declaration of Samuel  
2 Bernard Johnson III in Support of Plaintiff's Motion for Leave to File a First Amended  
3 Complaint filed and served herewith, the pleadings and records on file herein, and such  
4 additional materials and argument as may be presented to the Court at or before the hearing on  
5 the Motion.  
6

7  
8 /s/

9 Dated this 11<sup>th</sup> day of June 2008

SAMUEL BERNARD JOHNSON III